



Afterword: Human Rights and Responsibilities

Citation

Sommer, Doris. 2009. Afterword: Human rights and responsibilities. *Hispanic Issues On Line* 5(1): 138-144.

Published Version

http://hispanicissues.umn.edu/assets/pdf/SOMMER_HRLAIC.pdf

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Human Rights and Responsibilities

More challenges than accomplishments in the matter of Human Rights was the leitmotif of the April 2008 symposium at the University of Minnesota, convened on the occasion of the 60th anniversary of the United Nations 1948 Declaration. The focus on challenges to be overcome may be a sign of stagnation or even a symptom of setbacks in the progress of human rights for Latin America. But for Latin American cultural studies it marks a milestone for purposeful and engaged scholarship. Instead of fixing only on the history and persistence of abuses, and explaining them as inevitable results of structural inequalities that only intensify when allegedly naïve interventions attempt to produce change, almost all of the collected essays take to heart an unfinished project that is worth developing. The essays stretch beyond the closed system of critique about contemporary crises that has characterized much of cultural studies for Latin America to include signposts of possible change to pursue. They seem inspired by a renewed sense of purpose that can pay off in real results, perhaps because the conference was convened to reflect on an accomplishment, on ground gained despite structural obstacles, – however much the words ‘human’ and ‘rights’ have required resignification to make good on their universal promise. This was an opportunity to rethink the relationship between discursive causes and political effects beyond deconstructive vicious circles.

Barbara Frey’s legislative history of “*Los desaparecidos*” gave the tone, I believe, for patient and engaged scholarship. After almost thirty years of effort, she explains, human rights NGOs and United Nations officers finally managed to establish a “Disappearances Convention” in 2006. The new accord to prosecute perpetrators doesn’t undermine the general 1948 Declaration by insisting on a particular case of protection; it helps to close loopholes the way that amendments do for constitutions that remain living documents. An International Criminal Court had already been established in 1998, to try perpetrators and to put some bite behind even earlier versions of the international agreement to condemn acts of disappearing citizens with no explanation or recourse to legal protection. Now few agents of guilty governments are indifferent to possible persecution; and governments still care about global shaming. By recounting how the Latin American experience of the 1960s and 70s was largely responsible for this legal advance, Frey’s contribution sets a bar of conscientious scholarship that reports on abuses but also pursues remedies without falling into cynicism.

This pragmatic tone, as I said, is refreshing for cultural studies and it rings through many of the scholarly contributions at the Minnesota symposium. Even Idelber Avelar’s more mainstream essay ends with a concession to doing what we can, despite the odds against success. And George Yúdice’s impressive reach of definitions and practices that invoke culture traces major debates about identity politics and ownership to conclude that -- in some cases at least -- cultural tactics actually do work on behalf of subaltern subjects, even when those tactics also legitimate otherwise unfriendly legal structures. Cultural Studies began in a more pro-active mood than Yúdice describes in the current academy, where social gains often remain under-reported, perhaps because they are less typical or realistic than the losses. Academic essays in cultural studies today

don't generally value exemplary cases of ground gained over the palpable and quantifiable trends of disaster, probably because scholarship is still dedicated to giving realistic accounts of what exists rather than speculating about possible deviations or developments. To focus on a promising but unusual case of cultural intervention, and to suggest that it might be a model for multiplying the practice and its effects, as opposed to correctly describing the overwhelmingly debilitating system that the outlying case presumes to affect, has seemed unscientific to most scholars, counter-factual and even naïve. One response to the extraneous speculation is to exclude counter-factual thinking from scholarship; but this would be to eliminate creative proposals about possible change and therefore to cripple scholarship as a possible contributor to social development. Another more responsible response would be to acknowledge a legitimate range of scholarly essays. We might, for example, distinguish between essays that propose to describe and those that propose to intervene in order to stretch beyond the current and limiting expectations of scholarly practices in the humanities. Professional schools inevitably pose problems of intervention, but rarely locate arts and culture as promising sites. Without agreeing to a distinction among essays regarding culture -- and the shared legitimacy of both "scientific" and "interventive" approaches -- it may be difficult to recover the contestatory and constructive project that Cultural Studies ignited in a less jaded moment of history and that the pragmatic project of the Minnesota Conference helps to rededicate for the future.

During the late 1960s in Britain, as we know, Stuart Hall and his colleagues were blasting open the determinist paradigms of elite education with a bold research agenda that valorized popular culture and raised working class prospects. Exclusive cultural paradigms had been condemning the popular classes, including more and more ex-colonial people of color, to inferior expectations and therefore to low levels of social and personal achievement. But soon after its initiation, the founding optimism of the field suffered disenchantment as a result of the historical failure of socialism. By the late 1980s, when cultural studies was consistently translated into research on Latin America, the departure from hierarchies and from inherited social differences resounded with a distinctly pessimistic accent.

Cultural Studies for Latin America has generally taken a dour deconstructive turn, which turns differences of class, color, and gender in on themselves; it also turns commitment and even cautious optimism into fuel for more disaster. The self-defeating reflex is familiar from Derrida and from Foucault, who deconstructed the difference between power and resistance to show how one provokes the other. But the gesture is older than deconstruction's philosophical resignation and probably owes something to Theodor Adorno's post World War II pessimism. Adorno's warnings against hope for gradual change returned after the heady 1960s to dignify defeatism with a lofty ethical appeal. For him, the dialectics of mature capitalism condemned engaged energies to melt down into so much grease for existing structures of power that run over and incorporate new oppositional forms. No real change, or art worthy of its free-wielding name, was really possible "after Auschwitz," unless it followed from a systemic replacement of capitalism for socialism. For cultural studies in general, after the purposeful beginnings in Britain, and for Latin American studies in particular, this kind of rigorous systemic thinking associated with Adorno has been quite attractive intellectually. Who would not

prefer to stay above the melée and say smart things about predictably unhappy outcomes rather than risk the scorn of scholars? This is not a rhetorical question.

One practical Latin American response to self-perpetuating oppressive systems is, for example, Paulo Freire's *Pedagogy of the Oppressed* (1969). He noticed, of course, the same dizzying and discouraging vicious circle that brought Adorno so close to despair: "If the implementation of a liberating education requires political power and the oppressed have none, how then is it possible to carry out the pedagogy of the oppressed prior to the revolution?"¹ To steady himself for an intervention, Freire closed in from a vision of the big picture to focus on details. He identified cracks in the state system of education as points that would admit interference. For Freire, a systemic view would be paralyzing, since political change would seem impossible without the kind of liberating education that existing systems inhibit. The only effective approach to change is therefore to create projects that force wedges of alternative education into the existing systemic stratification and thereby to disrupt oppressive stasis with dynamic models of equality that can develop into broad bases for a new liberating system. Hernán Vidal hopes to open such a wedge in Chile's high school curriculum. "Gravitation of Narratives of National Identity on Human Rights: The Case of Chile" points out that the official narrative of procedural continuity and democratic exceptionalism doesn't make sense in Chile, given its recent history of the state's human rights abuses, an unhappy history that echoes throughout the nineteenth and twentieth centuries. (Missing, though, is any mention of contemporary Mapuche struggles against a predatory state. This would clinch his argument about the need for alertness to symptoms of non-compliance with the 1948 Declaration.) Were teachers to develop some of the inconsistencies in the textbooks, between human rights and national practice, they could prepare students to be vigilant and proactive defenders of human rights.

Freire's (and by association here Vidal's) approach doesn't owe directly to Antonio Gramsci's "war of positions," or "passive revolution," which also call for the identification of pregnant points of intervention and for building towards a new hegemony of the popular classes to replace the existing hegemony of exclusive elites, because Freire admits to his own ignorance of Gramsci until very late in life. But during his time in exile from Brazil's military dictatorship, Freire wrote: "I read Gramsci and I discovered that I had been greatly influenced by Gramsci long before I had read him."² It is this Gramscian spirit that I sense animating the cautious but constructive tone of the collected responses to the agenda of Human Rights. Writing from prison to a decimated base of comrades, also weakened by illness and by the very effort of writing, Gramsci acknowledged a paradoxical "optimism of the will" that survives the "pessimism of reason" and that energizes engagements beyond the unequal odds against success. A legacy of this unpretentious optimism can perhaps be felt in the subtle but significant shift in focus from the big picture of systemic critique, so characteristic of cultural studies, to a more modest but dogged approach to incremental change that I have been calling cultural agency.³ Maybe the occasion itself of the 60th anniversary of the Declaration of Human Rights provoked this delicate but perceptible change of heart, as participants took stock of the long-standing internationally ratified commitment to decency. They expanded beyond pronouncing critiques of existing abuses towards considering possibilities for achieving compliance and enforcement of a necessary agenda for human rights.

Like my non-rhetorical question about who would rather get into the messiness of making history, rather than staying at an intellectually superior and safe distance, Walter Mignolo asks “Who speaks for the ‘human’ in human rights?” The answer begins with a critical if not damning long-view of Western Europe’s self-arrogation of legitimate sign-making; but it ends with appreciation for creative re-articulations from the de-colonized margins of western empires. Martinique’s Franz Fanon in Algeria was a pioneer in this respect, though Latin Americanists will hear echoes of José Vasconcelos in the ironic project of rejecting the imperial power but embracing its self-legitimizing discourse. Fanon gave Europe credit for inventing the notion of democracy, but he made the masters take note that democracy was impossible in Europe because racism blocked Europe’s best ideals. Instead of Europe (or the United States in Vasconcelos’ version) the excluded margins of the still colonial or dependent world would establish democracy with a vengeance. Mignolo’s argument about Western European definitions of “the human” might have stayed stuck in a critique of the short-sighted view of Christian universalism, which assumes that all men are brothers. As Marc Shell rehearses the murderous consequences of universalism in *Children of the Earth*,⁴ those who don’t consider themselves to be my brothers are not men at all and therefore undeserving of my respect or protection. But Mignolo’s essay continues towards a coda that acknowledges what he calls de-colonial humanities. However suspect the appropriation of “humanitas” and the rights that accrue may be at the level of non-Western states (a phenomenon he associates with Mohammad Khatami, former President of Iran, and Prince Hassan of Jordan) it signals internal debates and a canny (Gramscian) advance against entrenched Western positions of enunciation.

Getting beyond the habitual sticking points of conventional cultural studies, I wonder who else is accountable for producing new uses for the human and for humanism; who designs and implements interventions or remedies for abuses. Are the agents of change limited to the dedicated lawyers and bureaucrats who frame and enforce conventions, joined by the de-colonized elite who can arrogate human rights to themselves and to their countrymen? Or does the responsibility for promoting human rights extend to us as scholars and teachers, not only to investigate and inform but also to promote change by multiplying the sites of critical education? In an academic climate that is friendly again to projects of service learning and of international study, the 60th anniversary of the Declaration of Human Rights may be an occasion to re-align our professional roles to support a human rights agenda in active engagements with populations beyond our immediate students. In Freirean fashion, our students can help to facilitate their own learning as they engage with others. Several of the essays invite my speculation. For example, Ileana Rodríguez’s denunciation of rampant sexual abuse of Nicaraguan children, often by their own fathers, recognizes the heroic efforts of medical NGOs whose effectiveness is limited, nevertheless, by a weak state and by the cultural collusion of victims with victimizers. Girls and their mothers, as well as neighbors and authorities, are often terrorized against telling about repeated rape, even when the recurrence of bloody bodies proves that something serious is amiss. Would a volunteer brigade of foreign educators and their students help to disrupt the complacency and to support the NGOs? Would the international attention encourage law enforcers to execute their roles more effectively?

An experience comes to mind of colleagues at the Harvard Medical School who conducted a pilot of AIDS prevention techniques in a Tanzanian town. There, children are so respectful of adults that they had desisted from repeating or insisting on their reports of being sexually assaulted after parents and teachers dismissed the stories as implausible in children so young. But the doctors' facilitation of interactive "forum theater" gave the young victims a voice, as they staged scenes of seduction and engaged the no longer skeptical adults in undeniably convincing and dangerous dynamics for the entire town to see. Today that town has exemplary practices in the prevention and treatment of HIV/AIDS.⁵

Like Rodríguez's outrage against culturally condoned incest, John Beverly's focus on torture, as sanctioned by the Bush regime, similarly obliges us to promote, not only to demand, change. Electing Barak Hussein Obama was one dignified response by United States citizens; perhaps we can think of others, including creative pedagogy, to make good on the promise of more humane policies. The point here is not to identify solutions as if they already existed but to keep the challenge to be creative on our academic and pedagogical agendas. As for Joan Ramón Resina's report on the shameful 2007 Spanish Constitutional Court ruling in favor of historians who deny the Holocaust, one wonders how to mount national and international pressure toward retraction. The damage against Jews and other minorities, with special attention to those subject to the Spanish state today, is not so much that the victims are voiceless (see whole libraries of Holocaust documents and memoirs), but that they are obliged to perpetually defend themselves against their perpetrators. Again, wondering how to respond is a practical rather than rhetorical question. Resina's condemnation is one bold response to an ethical crisis and it conjures others.

Crisis is a word that we have tended to define as paralyzing, a present so full and intractably problematic that it blocks both memories of the past and speculations about the future. But Gramsci would remind us that crisis means turning point, an opportunity for change. For him, to be human and therefore entitled to human rights is to experience the paradoxical optimism of the will alongside the pessimism of reason. Without optimism, how does it even occur to abused human beings to claim their legitimate but still unrealized rights? And what would be the purpose of scholarly denunciation, were it not for the implicit, optimistic, demand for change? Short of that demand and of the responsibility it visits on all of us, the exercise of critique might seem narrowly academic and rather self-serving for scholars who already enjoy a good share of rights and resources.

¹ Freire, p.39.

² Peter Mayo, *Gramsci, Freire and Adult Education: Possibilities for Transformative Action*, p. 7 (Zed Books, London, 1999).

³ *Cultural Agency in the Americas*, edited by Doris Sommer, (Durham, Duke University Press, 2006)

⁴ Marc Shell, *Children of the Earth: Literature, Politics, and Nationhood*. (New York: Oxford UP, 1993).

⁵ Felton Earls and Maya Carlson, in Moshi Tanzania, with Boal's techniques.